

REMARKS

This amendment is responsive to the Office Action dated March 27, 2006. Claims 1 - 29 are pending in this application. Claims 11, 12, 21, 22, 24, 25, 27 and 29 are allowed. Claims 1, 6-10, 13-18, 23, 26 and 28 are rejected. Claims 2-5, 19 and 20 are objected to. Reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claim 1

Claim 1 has been amended to include the limitations of claim 2. Claim 2 was indicated to be allowable in the outstanding Office Action. By this amendment, claims 3, 4, 6, 7, 8, 9, 14, 16, 17 and 19 all become allowable.

Claim 5

Claim 5 has been rewritten in independent form. Claim 5 was indicated to be allowable in the outstanding Office Action. Claim 20 depends from claim 5 and is, therefore, are allowable.

Claim 10

Claim 10 is amended so that the buffer layer is composed of Indium Tin Oxide (ITO). ITO is a preferable material because it has an excellent conductivity such as approximately  $10^{-4}\Omega\text{cm}$  (at room temperature). Also, ITO is transparent at a visible wavelength region. Further, ITO has a lattice constant between a sapphire substrate

and a ZnO substrate, therefore, ITO alleviates the difference of the lattice constants between the substrate and the light-emitting region, when having a sapphire substrate and a buffer layer composed of ITO.

Sano discloses a buffer layer composed of ZnO, not ITO.

Ogiwara discloses ITO as an electrode, and an anamorphous Si layer formed thereon. Therefore, the above references taken singly or in combination do not disclose or suggest the idea of growing a light-emitting layer composed of a Zn-base compound using a buffer layer composed of ITO. Claims 15, 23, 26 and 28 depend from claim 10 and are also allowable.

#### Claim 11

Claim 11 and claims dependent therefrom (12, 21, 22, 24, 25, 27 and 29) have been indicated to be allowable.

#### Claim 18

Claim 18 has been rejected under 35 USC § 112 and on the basis of prior art. Claim 18 has been canceled.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action in accordance thereof is requested. In the event there is any reason why the application cannot be allowed in this current

condition, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems by Interview or Examiner's Amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ronald R. Snider', with a stylized, cursive flourish extending to the right.

Ronald R. Snider  
Reg. No. 24,962

Date: June 27, 2006

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RRS/bam